

IN THE UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF ARKANSAS
FAYETTEVILLE DIVISION

**RONNIE LATIOLAIS, Individually and
On Behalf of All Others Similarly Situated**

PLAINTIFF

vs.

No. 5:19-cv-5006-TLB

**SPO NETWORKS, INC., KENDRA
SMITH and DELMER TOM SMITH**

DEFENDANTS

MOTION FOR DEFAULT JUDGMENT AS TO SPO NETWORKS, INC.

COMES NOW Plaintiff Ronnie Latiolais ("Plaintiff"), by and through his attorneys Daniel Ford and Josh Sanford of Sanford Law Firm, PLLC, and for his Motion for Default Judgment ("Motion") against Separate Defendant SPO Networks, Inc. ("Defendant"), he does hereby state and allege as follows:

1. By this Motion, Plaintiff seeks a total default judgment in an amount to be determined at a hearing on damages, but which include actual damages in the form of unpaid wages plus liquidated damages as well as costs and reasonable attorneys' fees under the Fair Labor Standards Act (FLSA) and Arkansas Minimum Wage Act (AMWA).

2. Plaintiff filed this lawsuit on January 8. See ECF No. 1, Original Complaint – Class and Collective Action.

3. Plaintiff served Defendant with a Summons and copy of the Complaint on January 17. See ECF No. 6 (showing process server's declaration that service occurred on January 17).

4. Defendants' deadline for filing and serving an Answer or Motion to Dismiss was February 7.

5. As of the filing of this Motion, Defendant has failed to plead or otherwise defend in this case.

6. Defendants are in default. See ECF No. 14 (Clerk's entry of default as to Defendant).

7. Plaintiff incorporates herein his Brief in Support of Motion for Default Judgment (ECF No. 19).

8. As proof of damages, Plaintiff hereby attaches Exhibit A, Declaration of Ronnie Latiolais, along with the calculation of damages.

9. If the Court deems in necessary, Plaintiff requests a hearing for purposes of establishing their damages under the FLSA and AMWA.

WHEREFORE, premises considered, Plaintiff Ronnie Latiolais respectfully requests this Court grant this Motion; enter a default judgment against Defendant SPO Networks, Inc., in an amount to be determined at a hearing on damages, plus costs and a reasonable attorney's fee, to be determined after the filing of a motion by Plaintiff in accordance with the Federal Rules of Civil Procedure; for a hearing on Plaintiff's damages; and for all other good and proper relief to which they may be entitled, whether or not specifically requested herein.

Respectfully submitted,

**PLAINTIFF RONNIE LATIOLAIS,
Individually and On Behalf of All
Others Similarly Situated**

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CERTIFICATE OF SERVICE

I, Josh Sanford, do hereby certify that on the date imprinted by the CM/ECF system, a true and correct copy of the foregoing MOTION was served via U.S. Mail on this June 18, 2019, on the following:

SPO Networks, Inc.
c/o Asa Hutchinson III
912 West Central Avenue
Bentonville, Arkansas
72712

/s/ Josh Sanford
Josh Sanford